

## **Minutes of the Carlisle Board of Health February 12, 2013**

Present: Board members Jeff Brem (Chairman), Catherine Galligan, Vallabh Sarma, Donna Margolies; Linda Fantasia (Agent); absent: Board member Bill Risso

The meeting was called to order by the Chairman at 7:00 pm. at Carlisle Town Hall.

### **ADMINISTRATIVE REPORTS**

Winter Storm Report – Local Emergency Planning Committee (LEPC) met Thursday through Saturday. MEMA predicted high winds, drifting snow, cold temperatures and extensive power outages. Red Cross was monitoring the situation but had no immediate plans for shelters. BOH was asked to organize volunteers for possible overnight shelter on Saturday if temperatures went below freezing and there were wide spread power outages. Town wide messages were sent via Blackboard asking residents to prepare to shelter in place. Three volunteers were available for the 6 pm-6am shift and five MRC volunteers offered to be on standby for daytime shifts if needed. There were no power outages in town. Only Sudbury opened a shelter Friday pm. LEPC decided to stand down on Saturday. Volunteers were thanked for their offers to assist.

Galligan reminded the Board that during the October storm when the Board organized a shelter at the school a number of concerns were brought to the attention of the LEPC including intermittent cell reception use, no available landline, lack of security on the campus and a premature opening of the shelter which put volunteers at risk because they were expected to travel during the storm. Margolies agreed that no one checked the school when she was on duty one night. The Board agreed that the town needs to reconsider its planning process and address the safety concerns before opening another shelter. Fantasia said some of the items such as a working landline have been addressed. This time the LEPC and Selectmen were more amenable to taking a wait and see approach on opening a shelter. The Board agreed that future planning should include a Carlisle Shelter Team and shelter training or exercise. There are misconceptions about sheltering responsibilities. Sheltering is a town safety issue and not necessarily a health issue. Residents with medical needs or devices must go to a medical shelter. Brem suggested a policy on the website. Sheltering is not a public health deliverable for the Board, although it involves the local Medical Reserve Corps which the Board organizes. The Board has helped to organize and fund equipment for a group of local radio operators. These volunteers provide important redundant communications. There is a radio set and antenna at the school shelter, police dispatch and fire department. They were very helpful during the October storm. They are represented on the LEPC which is not the case in many towns.

Lyme Disease Talk is confirmed for 4/24/13 with Dr. Sam Telford. Funding is from the CHNA Grant. Trails Committee would like 7-10 metal signs and four tick boxes and pamphlets are being purchased for the recreational fields. Last year's medical students have submitted an Abstract to APHA Conference which will be held in Boston in November.

Middlesex Tick Task Force (MTTF) has been organized by Lexington, Concord, Carlisle, Bedford, Stow, Acton, Waltham, and Wayland. The MTTF's mission is to provide tick borne disease prevention education to our residents. Its goals are to increase awareness about Tick Borne Illnesses, educate Residents on preventive measures, and promote inter-town collaboration in Middlesex County. The message to residents is that TBI is endemic in this area; prevention works; the facts about symptoms and treatments and self-advocacy and early treatment are important. Participating towns are interested in our survey which is based on Martha Vineyard Survey. This will provide comparative data.

Town Caucus – 2/25/13 7 pm. Risso and Galligan have agreed to run again.

Soils Workshop – 6/6/13 and 6/7/13. The facilitator has offered two auditing spots for Brem and Risso for hosting the workshop.

**PH 750 CONCORD ROAD - replacement of failed septic system requiring local and state variances:**

**TITLE 5 310 CMR Section 15. 211- Reduction of the setback from the property line to the proposed septic tank from ten (10) feet to seven (7) feet; Section 15. 211- Reduction of the setback from the property line to the proposed pump chamber from ten (10) feet to eight (8) feet; Section 15. 211- Reduction of the setback from the existing well to the proposed SAS Area from one hundred (100) feet to eighty (80) feet; Section 15. 211- Reduction of the setback from the property line to the proposed SAS Area from ten (10) feet to five (5) feet; and Section 15.255- Allow the use of an impervious barrier in lieu of the required fifteen (15) foot offset for “Breakout” between the SAS Area and the slope.**

**TOWN OF CARLISLE HEALTH REGULATIONS: Section 15. 221- Waive the SAS Area sizing requirement of 165 gallons per day per bedroom and allow the use of the Title 5 requirement of 110 gallons per day per bedroom, due to site restrictions.**

**It was moved (Margolies) and seconded (Galligan) to open the public hearing. Motion passed 4-0-0.** Present was Steve Poole, Lakeview Engineering Associates, Carole Lenox, realtor, and abutters Kitty Shepard, Chip and Debbie Dewing. Poole said owner was not able to attend.

Poole explained that the property consists of a failed cesspool which will be abandoned. The design is for 330 GPD in accordance with Title 5. The waiver requests are due to the site restrictions of the property, such as the shape of the lot, the large elevation drop on the southerly portion of the lot and the location of the well. Specifically, the waivers needed for the septic tank & pump chamber are due to the proximity of the house to the layout of Concord Street and the need to re-route the plumbing to the front corner of the house. Any configuration of the tanks that does not require a waiver makes a more difficult connection for the new house sewer from the foundation to the tanks. The reduction in the setback between the SAS area and the well is needed to keep the SAS area within the limits of the naturally occurring gravel bank and to minimize the already large volume of fill needed for grading beyond the system, over the embankment. The reduction in the offset between the SAS area and the property line is for the same reason, as the embankment also drops off to the west end of the property. Likewise, the use of the impervious barrier is needed to keep the volume of fill within practical limits. Finally, the requested size reduction under the Town’s bylaw is also needed to maintain a system size that can be constructed within the limits of the naturally occurring gravel bank, without going over the edge of the embankment. A failed Title 5 inspection report was submitted.

Brem asked whether there were ledge outcrops, and Poole responded no. He consulted with the Conservation Administrator and there are no wetlands on the property. Brem asked if the rear of the lot had been tested. Poole said he had probed the area but had not done any witnessed testing. Based on his exploration the area has a high water table. Brem asked if relocating the well was considered. Poole said it would involve significant additional cost which can be a consideration in granting a waiver. He said DEP has a guideline that if a system exceeds 25% of the value of the property it can be considered a hardship. The Board agreed this does not usually apply in Carlisle. The Board then reviewed Rob Frado’s technical summary. A number of plan deficiencies were noted. Poole said these can easily be corrected. Frado also suggested using a Cultec I/A system to reduce the height of the system. The Board agreed this should be considered. Reducing the height of the system will reduce the height of the retaining wall which will be visible along Concord Street. Frado also noted that the grading extends beyond the property line which requires DPW approval. A swale would also be required since the system is 5’ from the property line. Poole agreed to follow up.

The Board asked for comments from abutters. Shepard said she is concerned that the system will cause additional drainage onto her property which sits much lower than the site. Her property often becomes a collection point from Concord and South Streets during a storm and she does not want the problem exacerbated. Brem explained that the Board will decide on the best overall location based on maximum feasible compliance. The objective is to replace a failed system with one that varies to the least degree state and local requirements. Title 5 is very specific on how the waivers should be prioritized. If the system were located to the rear of the property it would be closer to Shepard and more visible due to the loss of trees and the system elevation above the high water table, possibly as much as 7’. Dewing asked if access from South Street was doable and Poole said it would be. He asked about the retaining wall which will be made of concrete blocks similar to other sites in town. It will be noticeable from Concord Street. The

Board noted that Concord Street is designated scenic roadway and any permanent structures or changes along the property line require a permit from the Planning Board.

Brem was concerned about the reduced setback to the well along with a reduction in system capacity. Under local regulations a three bedroom system requires 495 GPD and not the 330 GPD provided. The Board had hoped its consultant would be available to go over the design with them but Frado could not make the meeting. The Board agreed to forward its questions: does it make more sense to relocate the well, why was it decided to not test in the rear of the property, does the design require a surveyed plan and scenic road permit. Poole asked how the Board felt about the design flow waiver. Brem said Title 5 is conservative and he would not have a problem granting the waiver with a garbage grinder restriction. Brem asked whether the two lots shown (parcels 29 and 30) were under same ownership and they are. The Board was uncertain whether this would provide any advantage. Shepard again expressed her concerns about impacts to her property which sits like a bowl beneath the Concord Street property. She was not concerned about the loss of trees many of which had fallen during recent storms. The Board asked for a continuance and Poole agreed.

**It was moved (Sarma) and seconded (Galligan) to continue the Public Hearing for 750 Concord Street to March 5, 2013 at 7:30 pm. Motion passed 4-0-0.**

## **DISCUSSION ITEMS**

**Proposed Fees:** Galligan, Sarma and Fantasia have been reviewing 53E ½ income and expenses and associated fees. The balance in the account no longer supports existing financial obligations. Since engineering costs involve 90% of the activity in this account, the group is focusing on revising fees so that they remain commensurate with actual expenses. This has become more difficult with the slowdown in the economy, increase in engineering costs, and two permit extension acts enacted by the legislature. The Board had been provided with copies of Galligan's spreadsheet analysis which detailed the actual costs of each administrative and engineering activity, including management. Board members met as a working group to decide how to resolve the problem. The strategy will be to change some fees immediately based on actual costs and establish new fees that are comparable to other towns. The Board will then revise its local regulations as related to engineering work in order to reduce the costs of the activities.

Proposed fee changes:

\$200 for SDS Revisions: currently the second review is included in the application fee; a new fee of \$200 will be charged for each plan change that requires an engineering review; Fantasia will decide which changes need a review.

\$75 Transfer of Ownership: this is a new fee that many towns require; there is a significant amount of time involved when a permit transfer from one owner to another; the Board will develop a form to help track these changes.

\$300 Variance Requests: currently there is no fee; this fee will cover the additional review time required since waiver requests frequently involve more complicated plans; they also require the attendance of the Board's consultant at the public hearing.

\$60 Title 5 Inspection Reports: currently there is no fee required; many towns have a fee; this will cover the cost of reviewing, approving, resolving technical questions, and providing copies to the public; the report is a legal document required at closings and the Board is the local approving authority for the inspection.

**It was moved (Galligan) and seconded (Sarma) to approve the proposed engineering fees stated above. Motion passed 4-0-0.**

The Board then discussed SDS application fees currently \$975 for a conventional system and \$1050 for an Innovative/Alternative (I/A). According to Galligan's report, the actual cost of approving and installing a system is approximately \$1600. An alternative system might cost up to \$2000. Galligan is recommending a \$1200 fee for conventional and passive I/A. Brem felt the town should subsidize I/A systems which are better for the environment. If the town subsidizes I/A's it will help incentivize residents to use them. He proposed \$1150 for both conventional and I/A. The Board agreed that if fees are too high residents will either ignore the problem or do it without a permit. The consensus was for the \$1150 fee. The fee discussion was advertised in its published agenda.

**It was moved (Galligan) and seconded (Sarma) to increase the application fee for sewage disposal plans both conventional and alternative technologies to \$1150.00 effective 2/12/13. Motion passed 4-0-0.**

The Board is considering reducing the number of required inspections from four to two in keeping with Title 5. Brem said Title 5 only requires a bottom of the bed and installation inspection. Carlisle requires a fill inspection and final grade. Brem said installers can provide source information for the fill and the engineer will do a final grade as-built. Plans can be submitted as pdfs. If a system needed an additional inspection due to a re-inspection for the work or at the discretion of the town's consultant, there would be a separate fee of \$300 for up to two inspections. This would make the inspections contemporaneous with the work and motivate installers to do the job correctly. Most I/A systems will require additional inspections during start up and these would require an additional fee. Brem said another way to manage costs would be to have a fixed table rather than basing engineering costs on the amount of time required. He does not think the Board should do this at the present time. Brem said installers will like fewer inspections which should make scheduling easier. There are built-in safeguards in the new inspection structure. Installers will have to pay additional if an inspection does not pass and if the fill placed is unacceptable they will carry the cost of removal and replacement.

Since the number of required inspections is stated in 15.021 of the local regulations, changes can only be made at a legally noticed public hearing. The Board agreed to schedule a hearing for 3/19/13. Proposed changes will include Sections 15.002 Definition of Fees; 15.021 Certificate of Compliance for the number of required inspections, and 15.024 Violations by adding a fine to the first warning and rewording second and subsequent violations and fines. Summaries must be published 14 days prior to the public hearing in the local newspaper.

Brem said he would also like to begin discussion about the Spring High Groundwater Requirement (Section 15.100). In his opinion the Title 5 flow rate of 110 GPD per bedroom is based on 55 GPD per person and more than sufficient. He believes it is time to retire the garbage grinder requirement which can unnecessarily oversize a system without adding additional protection. Lack of flows can cause a system to not function properly. The local 165 GPD requirement is due to the ease of installation of a grinder after the fact. Proper labeling of the water lines should discourage this. Brem would like to invite engineers and builders to the discussion.

The Board also discussed ways of educating homeowners about system maintenance. This would include identifying products that can harm a system. The Board agreed to create an Ad for the Mosquito followed by a series of articles on the design, function and operation of a septic system. Expenses would be appropriate for the Title 5 Administrative Grant. Fantasia and Frado are filming a segment on Title 5 Inspections and the Septic Loan Program for CCTV on March 5<sup>th</sup>.

**Annual Report** – the Board reviewed and approved the edits.

**Bills** – include wages and salaries and an engineering invoice from TCG. The Board noted that the invoice included 3.25 in management and only 1.5 in engineering. They questioned the costs of delivering and preparing the invoice expense and deleted them from the total. Fantasia will notify Frado.

**It was moved (Galligan) and seconded (Sarma) to approve the salary and wages as presented. Motion passed 4-0-0. It was moved (Galligan) and seconded (Sarma) to approve the purchase of 24 sharps containers to be paid out of the Public Health Warrant Article. Motion passed 4-0-0. It was moved (Galligan) and seconded (Sarma) to adjust and approve \$303.60 for the January engineering invoice from TCG eliminating drop off and invoicing charges. Motion passed 4-0-0.**

There was no further business. Meeting voted to adjourn at 9:15 pm.

Respectfully submitted,

Linda M. Fantasia,  
Recorder

Carlisle Board of Health Minutes  
Meeting Date: February 12, 2013  
Approved: March 19, 2013